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SECOND SUPERSEDING INDICTMENT

THE UNITED STATES GRAND JURY CHARGES:

Count One

That from in or about December 1988, the exact date being unknown to the Grand Jury, and continuing thereafter until August 5, 2009, in the Eastern District of Texas and elsewhere,

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ROGELIO ALANIS (27)
a/k/a "Blue"
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defendants, did knowingly or intentionally combine, conspire, confederate and agree together with each other and with other persons known and unknown to the Grand Jury to distribute and possess with intent to distribute a Schedule I controlled substance, namely, marijuana, in an amount of one thousand (1,000) kilograms or more,

In violation of 21 U.S.C. § 841(a)(1) and 18 U.S.C. § 2, all in violation of 21 U.S.C. § 846.

NOTICE OF INTENTION TO SEEK CRIMINAL FORFEITURE

Criminal Forfeiture Pursuant to 21 U.S.C. § 853 and § 881

Upon conviction of the controlled substance offense alleged in Count One of this indictment, defendants, shall forfeit to the United States pursuant to 21 U.S.C. § 853, any property constituting, or derived from, proceeds obtained directly, or indirectly, as a result of the said violation, and any property used, or intended to be used in any manner or part, to commit or to facilitate the commission of the said violation, including but not limited to the following:

MONEY JUDGMENT

A sum of money equal to **twenty-one-million, three-hundred-five-thousand, four-hundred-sixty-three dollars (\$21,305,463.00)** in United States currency, representing the amount of proceeds obtained as a result of the offense alleged in Count

One, conspiracy to distribute and possess with intent to distribute a Schedule I controlled substance, namely marijuana, in an amount of 1,000 kilograms or more for which the defendants are jointly and severally liable.

REAL PROPERTY

1) Real property with improvements and appurtenances located at 10038 Hudson St., Houston, Harris County, Texas, titled in the name of Yolanda Jimenez, legally described as:

Lots 5 and 6, Block 30, Taylor North Houston, a subdivision in Harris County, Texas, according to the map plat thereof, recorded in Volume 4, Page 61 of the Map Records of Harris County, Texas.

If any of the above-described forfeitable property, as a result of any act or omission of the defendant(s):

- (a) cannot be located upon the exercise of due diligence;
- (b) has been transferred or sold to, or deposited with, a third party;
- (c) has been placed beyond the jurisdiction of the court;
- (d) has been substantially diminished in value; or
- (e) has been commingled with other property which cannot be divided without difficulty;

It is the intent of the United States, pursuant to 21 U.S.C. § 853(p), to seek forfeiture of any other property of said defendants up to the value of the forfeitable property described above.

By virtue of the commission of the felony offense charged in this indictment by the defendant(s) any and all interest the defendant(s) has/have in the above-described properties is vested in the United States and hereby forfeited to the United States pursuant to 21 U.S.C. §§ 853 and/or 881.

A TRUE BILL

GRAND JURY FOREPERSON

JOHN M. BALES
UNITED STATES ATTORNEY



JOHN A. CRAFT
ASSISTANT UNITED STATES ATTORNEY

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
BEAUMONT DIVISION**

UNITED STATES OF AMERICA

VS.

Cause No. 1:09-CR-109

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ROGELIO ALANIS (27)

a/k/a "Blue"

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**NOTICE OF PENALTY**

**Count One**

**Violation:** 21 U.S.C. § 841(a)(1); 21 U.S.C. § 846

**Penalty:** Not less than **TEN (10)** years nor more than **LIFE** imprisonment,  
a fine not to exceed **\$4,000,000.00**, or both,  
and supervised release of not less than **FIVE (5)** years or more than  
**life.**

**Special Assessment:** \$100.00